

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO.7755 OF 2021
IN FIRST APPEAL NO.276 OF 2010**

(Devibharti Jankiram Kadam and ors.

Vs.

State of Maharashtra and ors.)

Mr.V.D.Salunke, Advocate for applicant

Mr.K.S.Patil, AGP for respondent nos.1 and 2

Mr.B.A.Shinde, Advocate for respondent no.3

CORAM : R.G. AVACHAT, J.

DATE : AUGUST 10, 2021

ORDER :-

The application is moved to recall the order passed by learned Registrar (Judicial) on 19.04.2011, whereby the appeal came to be dismissed for want of depositing paper book charges of Rs.65/-.

2. Learned counsel for the applicants submits that the Superintendent of District Court, Parbhani, has called upon the Executive Engineer of the very project i.e. Lower Dudhana Project, Selu, Dist. Partbahi, to deposit necessary paper book charges. Learned counsel submits that learned Registrar (Judicial) mistook it for the present applicants and therefore, the impugned order came to be passed.

3. For the reasons given in the application, the same is allowed in terms of prayer clauses (B), (C) and (D).
4. The applicants to deposit the paper book charges within two weeks in the District Court, Parbhani.

[R.G. AVACHAT, J.]

KBP